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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,080	07/13/2005	Migaku Suzuki	930055-2034	2895
7590 Ronald R. Santucci Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151				
07/07/2009				
EXAMINER				
LAMB, BRENDA A				
ART UNIT		PAPER NUMBER		
1792				
MAIL DATE		DELIVERY MODE		
07/07/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/542,080

**Applicant(s)**

SUZUKI ET AL.

**Examiner**

Brenda A. Lamb

**Art Unit**

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 12/21/2008 & 7/13/2005
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: \_\_\_\_\_

Applicant's election of Group III (claims 12-22) in the reply filed on 3/17/2009 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how the term "constituted" at line 14 of claim 12 further limits the claim. It is suggest that applicant delete lines 14-19 of claim 12 and insert -- wherein the surface of the substrate sheet having formed thereon a first region and a second region, the thickness of the first region of the coating layer is thicker than the second region, the thickness of the coating layer in the second region is thinner or does not having the coating layer, and wherein the pattern corresponds to the pattern of the convex-and-concave portion of the rotating pattern roll by pushing the coating film via the rotating pattern roll into the surface of the coating layer --. The recitation in claim 19 that the sheet is ridden between the two rolls, a support roll and rotating pattern roll, is confusing since the sheet does not sit on these rolls. It is suggested that applicant at lines 2-3 after "a support roll facing opposite said rotating pattern roll" delete ", said substrate sheet being ridden between the two rolls is provided in said apparatus," and insert -- such that said substrate sheet travels there between --. Claim 18 is confusing since it is

unclear what is supplying the slurry on the surface of the sheet – line-coating plate or slurry supplier. It is suggested that applicant amend claim 18 as follows: at line 2 of claim 18 after “wherein” insert – said slurry supplier includes --; at line 3 of claim 18 after “surface of said substrate sheet” delete “is provided in said apparatus”. It is unclear what “part” one is referring to line 2 of claim 20. The recitation in claim 20 that the dispersion slurry falls down and through substrate and down to the substrate sheet is confusing due to claim language redundancy. It is suggested that applicant amend claim 20 as follows: at line 1 after “dispersion slurry” delete “and/or part thereof from”; at line 3 of claim 20 after “substrate sheet” delete “down to said substrate sheet”. It is unclear how the term “constituted” at line 14 of claim 22 further limits the claim. It is suggested that applicant amend claim 22 as follows: delete line 5 of claim 22 and at line 6 of claim 22 before “said substrate sheet is positioned” insert – wherein --.

Claims 12-22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The prior art fails to teach or suggest an apparatus for applying patterned coating onto a substrate which is comprised of the following combination of elements: a traveling mechanism for traveling or moving the substrate sheet into the longitudinal direction thereof; a rotating pattern roll having a predetermined convex-and-concave pattern on the circumference surface thereof such that the center of axle is vertically positioned; a cover film for covering the circumference surface of the rotating pattern roll to prevent the dispersion slurry from being contact with the circumference surface of the rotating pattern roll, a front end of the cover film being positioned in the downstream

from the lowest position of the rotating pattern roll; and a slurry supplier for continuously supplying the dispersion slurry on the substrate sheet from a discharge portion of the supply supplier at a outlet position being positioned between the cover film and the substrate sheet; wherein the surface of the substrate sheet having formed thereon a first region and a second region, the thickness of the first region of the coating layer is thicker than the second region, the thickness of the coating layer in the second region is thinner or does not having the coating layer, and wherein the pattern corresponds to the pattern of the convex-and-concave portion of the rotating pattern roll by pushing the coating layer with the rotating pattern roll via the cover film.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda A. Lamb whose telephone number is (571) 272-1231. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton, can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit: 1792

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Brenda A Lamb  
Primary Examiner  
Art Unit 1792

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Primary Examiner, Art Unit 1792